



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

DEC 30 2004

REPLY TO THE ATTENTION OF
(AE-17J)

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Dave Trickel, Plant Manager
Wabash Alloys LLC - Cleveland Facility
4365 Bradley Rd.
Cleveland, Ohio 44109

Re: Finding of Violation
Wabash Alloys LLC
Cleveland, Ohio

Dear Mr. Trickel:

The United States Environmental Protection Agency (U.S. EPA) is issuing the enclosed Finding of Violation (FOV) to Wabash Alloys LLC (you). We find that you are have violated Section 112 of the Clean Air Act, 42 U.S.C. § 7412, at your Cleveland, Ohio facility.

We have several enforcement options under Section 113(a)(3) of the Clean Air Act, 42 U.S.C. § 7413(a)(3). These options include issuing an administrative compliance order, issuing an administrative penalty order, and bringing a judicial civil or criminal action. The options we select may depend on, among other things, the length of time you take to achieve and demonstrate continuous compliance with the rules cited in the FOV.


We are offering you an opportunity to confer with us about the violations alleged in the FOV. The conference will give you the opportunity to present information on the specific findings of violation, the efforts you have taken to comply, and the steps you will take to prevent future violations.

Please plan for your facility's technical and management personnel to attend the conference to discuss compliance measures and commitments. You may have an attorney represent you at this conference.

The U.S. EPA contact in this matter is Charmagne Villasin. You may call her at (312) 886-0448 to request a conference. You should make the request as soon as possible, but no later than 10

calendar days after you receive this letter. We should hold any conference within 30 calendar days of your receipt of this letter.

Sincerely,


for Stephen Rothblatt, Director
Air and Radiation Division

Enclosure

cc: Mark Vilem, Project Coordinator, OEPA

United States Environmental Protection Agency
Region 5

IN THE MATTER OF:)	
)	
Wabash Alloys LLC)	FINDING OF VIOLATION
Cleveland, Ohio)	
)	EPA-5-05-OH-02
)	
Proceedings Pursuant to)	
the Clean Air Act,)	
42 U.S.C. §§ 7401 <u>et seq.</u>)	

FINDING OF VIOLATION

The United States Environmental Protection Agency finds that Wabash Alloys LLC (Wabash) has violated Section 112 of the Clean Air Act, 42 U.S.C. § 7412. Specifically, Wabash has violated the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Secondary Aluminum Production at 40 C.F.R. part 63, subpart RRR as follows:

Regulatory Authority

1. The NESHAP for Secondary Aluminum Production applies to secondary aluminum production facilities and associated equipment including group 1 furnaces, scrap dryers, lime injected fabric filters and afterburners.
2. The NESHAP, at 40 C.F.R. § 63.1506 (m)(4), requires the owner and operator of a group 1 furnace with emissions controlled by a lime injected fabric filter to maintain free-flowing lime in the hopper to the feed device at all times.
3. The NESHAP, at 40 C.F.R. § 63.1506 (g)(1)(i), requires the owner or operator of a scrap dryer with emissions controlled by an afterburner and lime-injected fabric filter to maintain the 3-hour block average operating temperature of each afterburner at or above the average temperature established during the performance test.
4. The NESHAP, at 40 C.F.R. § 63.1506 (g)(5), requires the owner and operator of a scrap dryer with emissions controlled by an afterburner and continuous lime-injected fabric filter system to maintain free-flowing lime in the

hopper to the feed device at all times.

Wabash's Facility

5. Wabash owns and operates a secondary aluminum processing facility at 4365 Bradley Road, Cleveland, Ohio. Wabash uses aluminum scrap as raw material in its aluminum production processes.
6. Wabash's facility is an emission source subject to the requirements of the Act, including 40 C.F.R. Part 63, Subpart RRR.
7. Wabash owns and operates group 1 furnaces with emissions controlled by a lime-injected fabric filter system subject to the requirements at 40 C.F.R. § 63.1506 (m).
8. Wabash owns and operates scrap dryer with emissions controlled by an afterburner and a continuous lime-injected fabric filter system that is subject to the requirements at 40 C.F.R. § 63.1506 (g).

Violations

9. Wabash submitted a semiannual excess emission/summary report on November 24, 2004. Wabash indicated that during the 6 month period of March to September 2004, the lime in the hopper to the furnaces' fabric filter system was not free-flowing for 14.0% of the total equipment operating time. This is a violation of 40 C.F.R. § 63.1506 (m)(4) and Section 112 of the Act, 42 U.S.C. §7412.
10. Wabash submitted a semiannual excess emission/summary report on November 24, 2004. Wabash indicated that the operating temperature of the scrap dryer afterburner was below the 1433 °F operating temperature established in the performance tests for the afterburner 19.6% of the operating time between March and September 2004. This is a violation of 40 C.F.R. § 63.1506 (g)(1)(i) and Section 112 of the Act, 42 U.S.C. §7412.
11. Wabash submitted a semiannual excess emission/summary report on November 24, 2004. Wabash indicated that during the 6 month period of March to September 2004, the lime in the hopper to the scrap dryer's fabric filter was not free-flowing for 8.8% of the total equipment operating time. This is a violation of 40 C.F.R. § 63.1506 (g)(5) and Section 112 of the Act, 42 U.S.C. §7412.

12/30/04
Date

William L. MacDowell
for Stephen Rothblatt, Director
Air and Radiation Division

CERTIFICATE OF MAILING


I, Loretta Shaffer, certify that I sent a Finding of Violation, No. EPA-5-05-OH-02, by Certified Mail, Return Receipt Requested, to:

Dave Trickel, Plant Manager
Wabash Alloys LLC
4365 Bradley Road
Cleveland, Ohio 44109

I also certify that I sent copies of the Finding of Violation by first class mail to:

Mark Vilem, Project Coordinator
Department of Environmental Services
Division of the Environment
1925 S. Clair Avenue
Cleveland, Ohio 44114

on the _____ day of January, 2005.


Loretta Shaffer, Secretary
AECAS (MN/OH)

CERTIFIED MAIL RECEIPT NUMBER: 70010320000615585052